

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CR-217-D
No. 5:15-CV-265-D

DOMONIC DEVARRISE USHER,)
)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)

ORDER

On June 7, 2016, Domonic Devarrise Usher (“Usher”) filed an amended motion under 28 U.S.C. § 2255. See [D.E. 375]. Usher contends that his convictions under 18 U.S.C. § 924(c) in counts 3, 5, 7, 9, 11, 13, and 15 must be vacated under Johnson v. United States, 135 S. Ct. 2551 (2015). See [D.E. 375] 1.

The United States shall file a response not later than July 1, 2016. Cf. In re Fleur, No. 16-12299-J, 2016 WL 3190539, at *1–4 (11th Cir. June 8, 2016) (per curiam); United States v. Howard, No. 15-10042, 2016 WL 2961978, at *1 (9th Cir. May 23, 2016) (per curiam) (unpublished); see also United States v. McNeal, 818 F.3d 141, 151–57 (4th Cir. 2016).

SO ORDERED. This 14 day of June 2016.


JAMES C. DEVER III
Chief United States District Judge